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Contract Workers

Based on bilateral labor agreements, foreign employees that are sent to Germany to execute contracts for their employers (Werkvertragsarbeitnehmer) are eligible to receive a work permit from the Central Placement Office (ZAV), without undergoing the usual [priority examination](#) being required. These intergovernmental agreements are intended to improve business relations between German and foreign enterprises and only apply to employees from the following countries: Bosnia und Herzegovina, Bulgaria, Czech Republic, Croatia, Hungary, Latvia, Macedonia, Poland, Serbia, Romania, Slovakia, Slovenia and Turkey.

Unlike service or labor contracts, the subject matter of a contract to produce a work (Sec. 631 et seq. German Civil Code) is the completion of a specific task, not the provision of working hours. Therefore, contract workers are only those posted employees who are temporarily doing project-related work. They neither follow instructions from the German client nor are integrated into his/her organizational structure.

The work permit is generally valid for the duration of the specific project or a maximum time period of 2 years. Furthermore, the number of contract workers that can be deployed to a German contractor is limited by a quota regulation. In addition, all foreign workers must fulfill the prerequisites for their profession. The [Central Placement Office \(ZAV\)](#) of the Federal Employment Agency is responsible for the application process.

Special regulations such as foreign worker quotas, apply to some industrial sectors like the construction industry, for instance. Furthermore, the bilateral agreements protect the national labor market under certain conditions stated in safeguard clauses. For example, foreign contract workers will not be admitted whenever the German contractor has to lay off domestic personnel or put such employees on short time working. In addition, districts with a high unemployment rate (at least 6 months above 30 percent of the federal average) are generally excluded. Additionally, the underlying bilateral agreements usually stipulate a minimum wage level. More details are available at the Central Placement Office.

The German Federal Employment Agency provides an [informational leaflet](#) on contract workers from new EU Member States. However, this information is available in German only.